

Court of Appeals, State of Michigan

ORDER

Mary Mullins v St. Joseph Mercy Hospital

Docket No. 263210

LC No. 03-000812-NH

William C. Whitbeck, C.J.
Presiding Judge

Judges of the
Court of Appeals

Judges

This Court orders that a special panel shall be convened in accordance with MCR 7.215(J) to resolve the conflict between this case and *Ousley v McLaren*, 264 Mich App 486; 691 NW2d 817 (2004).

The Court further orders that section III of the opinion in this case, which addresses the retroactive application of *Waltz v Wyse*, 469 Mich 642; 677 NW2d 813 (2004), is VACATED. MCR 7.215(J)(5).

Appellants may file a supplemental brief within 21 days of the Clerk's certification of this order. Appellee may file a supplemental brief within 21 days of service of appellants' brief. Nine copies must be filed with the Clerk of the Court.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 23 2006
Date

Sandra Schultz Mengel
Chief Clerk